

LAURA E. DUFFY
 United States Attorney
 TOM STAHL
 Assistant U.S. Attorney
 Chief, Civil Division
 California State Bar No. 078921
 Office of the U.S. Attorney
 880 Front Street, Room 6293
 San Diego, California 92101-8893
 Telephone: (619) 546-7767
Thomas.Stahl@usdoj.gov

Attorneys for Respondents

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

SERGEANT GARY A. STEIN,)	
)	Case No. 12cv0816-H(BGS)
Plaintiff,)	
)	
v.)	JOINT MOTION TO ESTABLISH
)	SCHEDULE FOR FILING FIRST
COLONEL C.S. DOWLING, et al.,)	AMENDED COMPLAINT AND
)	RESPONSE
Defendants.)	
)	
)	
)	

COME NOW THE PARTIES, Plaintiff Gary A. Stein, by and through his counsel, David Loy and Gary Kreep, and Defendants Col. C.S. Dowling, United States Marine Corps; Ray Mabus, Secretary of the United States Navy; the United States of America; and Brig. Gen. Daniel Yoo, United States Marine Corps, by and through their counsel, Laura E. Duffy, United States Attorney; and Tom Stahl, Assistant United States Attorney, Chief, Civil Division; and hereby jointly move the Court to order that:

1. Defendants need not respond to the Complaint, ECF No. 1, absent further order, and
2. The time for Defendants to respond to any subsequent Complaint Plaintiff might file shall be extended to thirty (30) days after the filing of any such subsequent Complaint.

As good cause for the extension requested, the parties submit that counsel for Plaintiff has informed counsel for Defendants that Plaintiff intends to file an amended Complaint to account for events that have occurred since the filing of Plaintiff's original Complaint (ECF No. 1), which would

1 take the place of Plaintiff's existing Complaint. Plaintiff intends to file his amended Complaint, if
2 possible, by June 30, 2012. The parties further submit that it would serve the interests of judicial
3 economy to permit the filing of a single responsive pleading or motion by Defendants within thirty (30)
4 days after the filing of Plaintiff's anticipated subsequent Complaint, instead of responding to the
5 Complaint currently on file.

6
7 DATED: June 4, 2012

s/David Loy
DAVID LOY
Attorney for Plaintiff
davidloy@aclusandiego.org

8
9 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures
10 of the United States District Court for the Southern District of California, I certify that the content of
11 this document is acceptable to counsel for the Plaintiff and that I have obtained authorization from
12 David Loy to affix his electronic signature to this document.
13

14 DATED: June 4, 2012

LAURA E. DUFFY
United States Attorney

15
16 s/Tom Stahl
TOM STAHL
Assistant U.S. Attorney
Chief, Civil Division
Attorneys for Defendants
Thomas.Stahl@usdoj.gov
17
18
19
20
21
22
23
24
25
26
27
28